

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRUNSON COMMUNICATIONS, INC

*Plaintiff,*

v.

ARBITRON, INC.

*Defendant.*

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: Civil Action No.: 02 CV. 3223

**MOTION TO EXTEND THE TIME TO RESPOND TO THE COMPLAINT**

In accordance with Fed. R. Civ. P. Rule 6(b), the undersigned, on behalf of Defendant Arbitron, Inc., requests an extension of time to July 8, 2002 to answer the Complaint and/or otherwise move against the Complaint.

This is Defendant's first request for an extension of time. Since the Complaint was served on June 4, 2002, the original response to the Complaint was June 24, 2002. Both Defendant and the undersigned attorneys were confused as to the filing of the Complaint because the Affidavit of Service indicates that the action was filed in Bankruptcy Court. *See* Plaintiff's Service of Process Transmittal Form attached hereto as Exhibit "A." The extension of time is requested so that the undersigned attorneys can investigate the allegations of the Complaint. The extension requested will not prejudice Plaintiff as the Complaint does not seek emergency relief.

Marc A. Lieberstein, counsel for Defendant, has left numerous messages with Plaintiff's counsel concerning this instant Motion. However, Plaintiff's counsel has failed to advise Mr. Lieberstein as to its opposition or agreement to the requested extension of time. The attached Declaration of Marc A. Lieberstein, Counsel for Defendant, sets forth the facts concerning his attempt to secure plaintiff's agreement to an extension of time to answer or otherwise respond to the Complaint by stipulation of the parties.

WHEREFORE, plaintiff requests that its Motion to Extend the Time to Respond to the Complaint be granted and that the time in which defendant may serve an answer or otherwise respond to Plaintiff's Complaint be extended until July 8, 2002.

Dated: June 18, 2002

Respectfully submitted,

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